

West's Tennessee Code Annotated
Title 62. Professions, Businesses and Trades
Chapter 32. Fire Protection and Alarm Systems (Refs & Annos)
Part 3. Alarm Contractors Licensing Act of 1991

T. C. A. § 62-32-301

§ 62-32-301. Short title

[Currentness](#)

This part shall be known and may be cited as the “Alarm Contractors Licensing Act of 1991.”

Credits

[1991 Pub.Acts, c. 400, § 1.](#)

T. C. A. § 62-32-301, TN ST § 62-32-301

Current with laws from the 2017 First Reg. Sess. of the 110th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

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West's Tennessee Code Annotated

Title 62. Professions, Businesses and Trades

Chapter 32. Fire Protection and Alarm Systems (Refs & Annos)

Part 3. Alarm Contractors Licensing Act of 1991

T. C. A. § 62-32-302

§ 62-32-302. Purpose

Effective: August 11, 2009

[Currentness](#)

The purpose of this part is to provide uniform procedures and qualifications throughout this state for the certifying, licensing and regulation of alarm systems contractors and to protect the safety and security of persons and property by assuring the competence of individuals or companies offering alarm systems and services to the general public.

Credits

[1991 Pub.Acts, c. 400, § 2.](#)

T. C. A. § 62-32-302, TN ST § 62-32-302

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T. C. A. § 62-32-303

§ 62-32-303. Definitions

Effective: May 15, 2012

[Currentness](#)

As used in this part, unless the context otherwise requires:

(1) “Alarm system” means any mechanical, electrical or electronic system, or any combination of those systems, designed to:

(A) Record, view, monitor, protect against, avoid or reduce the probability of personal or property loss or injury resulting from fire, smoke, heat, burglary, theft, shoplifting, pilferage or other losses of that type;

(B) Monitor, detect or prevent intrusion; or

(C) Detect and summon aid for other emergencies;

(2) “Alarm systems contractor” means any person, firm, association or corporation that sells or attempts to sell, installs, services or monitors alarm systems, signal devices, fire alarms, burglar alarms, television cameras or still cameras used to detect fire, burglary, breaking or entering, intrusion, shoplifting, pilferage or theft;

(3) “Alarm verification” means an attempt by a monitoring company or its representative to contact a burglar alarm location or a burglar alarm user by telephone or other electronic means to determine whether a burglar alarm signal is valid in an attempt to avoid unnecessary police response before requesting law enforcement to be dispatched to the location. Alarm verification further means that at least a second call shall be made to a different number if the first attempt fails to reach an alarm user;

(4) “Board” means the state board for licensing alarm systems contractors created by [§ 62-32-306](#);

(5) “Burglar alarm system” means an alarm or monitoring system that has the primary function of detecting or responding to emergencies other than fire;

(6) “Business entity” means each location from which alarm systems are sold, installed or serviced;

(7) “Certification” means the authority granted by the board to do business as an alarm systems contractor;

(8) “Fire alarm system” means an alarm or monitoring system that is intended to respond to or detect fire, heat, smoke or other byproducts of combustion;

(9)(A) “Good moral character” means an individual with high legal, moral and ethical values;

(B)(i) The following shall be prima facie evidence that an individual does not have good moral character:

(a) Conviction by any local, state, federal or military court of any crime involving the illegal use, possession, sale, manufacture, distribution or transportation of a controlled substance, controlled substance analogue, drug or narcotic;

(b) Conviction of a crime involving felonious assault;

(c) Conviction of a crime involving unlawful breaking or entering, burglary, larceny or arson;

(d) Conviction as an habitual criminal; or

(e) An addiction to alcohol or a narcotic drug;

(ii) For purposes of subdivision (9)(B)(i), “conviction” means and includes the entry of a plea of guilty, plea of no contest or a verdict rendered in open court by a judge or jury;

(10) “Installation” means the installation, maintenance, service and repair of alarm systems;

(11) “Monitoring” means any off-site central monitoring station or location that receives electronic burglar alarm, closed circuit television or fire alarm signals from multiple locations and notifies or dispatches, or both, other persons to emergency burglaries, hold ups, thefts, vandalism, civil unrest, personal emergencies or fire alarm conditions; and

(12) “Qualifying agent” means any individual licensed by the board whose qualifications have been demonstrated to the board for overseeing and supervising alarm systems contractor operations of any classification or combination of classifications.

Credits

1991 Pub.Acts, c. 400, § 3; 1993 Pub.Acts, c. 429, § 6, eff. May 20, 1993; 1996 Pub.Acts, c. 848, §§ 1, 2, eff. May 3, 1996; 2007 Pub.Acts, c. 160, § 1, eff. May 15, 2007; 2012 Pub.Acts, c. 848, § 63, eff. May 15, 2012.

T. C. A. § 62-32-303, TN ST § 62-32-303

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T. C. A. § 62-32-304

§ 62-32-304. Requirements; prohibited practices

Effective: August 11, 2009

[Currentness](#)

- (a) No person shall engage in or hold out as engaging in the business of an alarm systems contractor without first being certified in accordance with this part.
- (b) No person shall do business under this part unless the business entity has in its employ a qualifying agent who meets the requirements for licensing by the board and who is, in fact, licensed under this part. The qualifying agent who is licensed under this part shall be in a management position and be responsible for overseeing the quality of operations of the alarm systems contractor.
- (c) In the event that the qualifying agent upon whom the business entity relies in order to do business ceases to perform the agent's duties as qualifying agent, the business entity shall notify the board within ten (10) working days. The business entity must obtain a substitute qualifying agent within thirty (30) days after the original qualifying agent ceases to serve as qualifying agent unless the board, in its discretion, extends this period for good cause for a period not to exceed three (3) months.
- (d) The certification application shall designate at least one (1) qualifying agent who is or shall be licensed for each classification of service to be performed by the certified business entity. No qualifying agent who has been so designated may serve on behalf of or be employed by any other business entity. The certification application shall designate for which classification or classifications the applicant is seeking a certification.
- (e) No alarm systems contractor may participate in a joint venture to provide equipment or services that require certification under this part unless all parties to the joint venture are certified in accordance with this part.
- (f) No contractor may subcontract the provision of equipment or services requiring a certification under this part to any uncertified person, firm, association or corporation except as provided in [§ 62-32-305\(7\)](#).
- (g) No alarm systems contractor shall retain as an employee any person known not to be of good moral character.
- (h) No person shall act as an alarm systems contractor under a certification without having a licensed qualified agent who holds a valid license in the category for which business is sought or work is to be done.

(i) No person shall act as a qualified agent without a valid license issued by the board.

(j) No person shall sell and install, service, monitor or respond to alarm signals, signal devices, fire alarms, burglar alarms, television or still cameras used to detect fire, burglary, breaking or entering, intrusion, shoplifting, pilferage or theft in violation of this part or the rules adopted under this part.

(k) No person shall advise anyone as to the need, quantity or quality of alarm systems and sell the systems unless certified, licensed or registered under this part.

Credits

[1991 Pub.Acts, c. 400, § 4](#); [1992 Pub.Acts, c. 977, § 1](#); [1996 Pub.Acts, c. 848, §§ 3, 13, eff. May 3, 1996](#).

T. C. A. § 62-32-304, TN ST § 62-32-304

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T. C. A. § 62-32-305

§ 62-32-305. Requirements; exemptions

Effective: August 11, 2009

[Currentness](#)

The following persons, firms, associations or corporations are specifically excluded from the requirements of this part:

- (1) Equipment manufacturers not providing direct sales, monitoring or installation of service to system end users;
- (2) Telephone installers/dealers not providing direct sales, monitoring, installation or maintenance service of alarm systems;
- (3) Equipment distributors or suppliers not offering sales, monitoring or installation services directly to the system user;
- (4) Retail stores or catalog sales not offering installation or consulting services to the system user;
- (5) Utility companies not installing, selling, servicing or monitoring alarm systems;
- (6) Sprinkler contractors not providing direct sales, monitoring, installation or maintenance service of alarm systems;
- (7) Electrical, mechanical or HVAC contractors licensed under chapter 6 of this title who do provide direct sales, monitoring, installation or maintenance service of alarm systems, but who derive less than fifty percent (50%) of their gross annual revenues from that business;
- (8) Architects and engineers not providing direct sales, monitoring, installation or maintenance service of alarm systems;
- (9) Individual property owners personally installing an alarm system within the owner's residence or other building not open to the general public;
- (10) Direct sellers and installers dealing exclusively with alarm systems for motor vehicles;
- (11) Locksmiths not providing direct sales, monitoring, installation or maintenance service of alarm systems. Locksmiths who install only mechanical locks or mechanical locks that have an integral alarm as part of their design without electrical

components and electromechanical locks such as self-contained, low voltage exit alarm devices that secure a single entry point, that are not part of an integrated system, are also exempt from the requirements of this part;

(12) A company that does not provide monitoring services and that has fifty million dollars (\$50,000,000) or more in annual sales and whose product requires no internal building wiring to install;

(13) Medical alert or medical monitoring services to individuals made available by a hospital or an affiliate of a hospital;

(14) The monitoring and minor maintenance of alarm systems by a hospital or an affiliate of a hospital solely for its own use; and

(15) The sale or installation of delayed egress locks by a company when the locks are used to detect and monitor the wandering of residents of a nursing home.

Credits

1991 Pub.Acts, c. 400, § 5; 1993 Pub.Acts, c. 429, §§ 7, 10 to 12, eff. May 20, 1993; 1996 Pub.Acts, c. 848, § 24, eff. May 3, 1996; 1998 Pub.Acts, c. 681, § 1, eff. March 30, 1998; 2000 Pub.Acts, c. 641, § 3, eff. April 10, 2000.

[Notes of Decisions \(1\)](#)

T. C. A. § 62-32-305, TN ST § 62-32-305

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Proposed Legislation

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[Part 3. Alarm Contractors Licensing Act of 1991](#)

T. C. A. § 62-32-306

§ 62-32-306. Board for licensing alarm system contractors

Effective: March 23, 2012

[Currentness](#)

(a)(1) There is created a state board for licensing alarm systems contractors, called the “board” in this part. The board shall be composed of five (5) members, to be appointed by the governor. At least one (1) member shall be a person who is not engaged in the contracting business in any county of this state. The remaining members of the board shall be alarm systems contractors as defined in [§ 62-32-303](#), all of whom shall have been actively engaged in the business for a period of no less than four (4) years next preceding their appointment and may be appointed from lists of qualified persons submitted by interested burglar and fire alarm organizations, including, but not limited to, the Tennessee Burglar and Fire Alarm Association. No more than two (2) members of the board shall be residents of the same grand division of the state. In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

(2) The governor shall consult with interested groups including, but not limited to, the organizations listed in subdivision (a)(1) to determine qualified persons to fill positions on the board.

(b) All subsequent appointments of successor members shall be made by the governor at the expiration of the respective terms of the members.

(c) In the event of a vacancy on the board for any reason and the governor failing to appoint a successor within ninety (90) days after the vacancy occurs, the board is empowered to fill that vacancy from lists of nominees submitted by the interested burglar and fire alarm organizations described in subsection (a), until the governor makes an appointment.

Credits

[1991 Pub.Acts, c. 400, § 6](#); [1993 Pub.Acts, c. 429, § 9, eff. May 20, 1993](#); [1996 Pub.Acts, c. 848, § 4, eff. May 3, 1996](#); [2012 Pub.Acts, c. 619, § 3, eff. March 23, 2012](#).

Editors' Notes

TERMINATION OF GOVERNMENTAL ENTITY

<The state board for licensing alarm systems contractors, created by this section, is set to terminate June 30, 2020, by [§ 4-29-241](#).>

T. C. A. § 62-32-306, TN ST § 62-32-306

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T. C. A. § 62-32-307

§ 62-32-307. Powers and duties

Effective: August 11, 2009

[Currentness](#)

- (a) In accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the board shall promulgate rules that may be reasonably necessary to implement and administer this part in an efficient and effective manner, including rules to require submission of reports and information by certified companies, licensees and registrants under this part.
- (b) The board has the power to establish fees under [§ 62-32-318](#) sufficient to pay the annual expenses of the board.
- (c) The board shall determine minimum qualifications or establish minimum education, experience and training standards for applicants for certifications and licenses under this part, including those required for renewal.
- (d) All persons employed by an alarm systems contractor shall apply for registration with the board within thirty (30) days after employment and shall submit to a background check conducted by the board, including investigation by the Tennessee bureau of investigation and the federal bureau of investigation.
- (e) The board shall conduct investigations regarding alleged violations and make evaluations as may be necessary to determine if certified companies, licensees and registrants under this part are complying with this part. The board may also investigate allegations regarding possible violations of this part by unregistered persons and shall seek enforcement under [§ 62-32-320](#).
- (f) The board may investigate allegations regarding improper, inadequate or ineffective alarm system installations and seek enforcement under [§ 62-32-320](#).
- (g) The board has the power to promulgate rules and regulations not inconsistent with the laws of this state that it deems necessary for internal management and control.
- (h) The board shall investigate and approve applicants to be certified, licensed or registered according to this part.
- (i) The board may deny, suspend or revoke any certification, license or registration issued or to be issued under this part to any applicant or licensee who fails to satisfy the requirements of this part or the rules and bylaws established by the board.

(j) The board may issue subpoenas to compel the attendance of witnesses and the production of pertinent books, accounts, records and documents.

(k) The board may enter into reciprocal agreements with other states whose laws are similar to this part; provided, that the other state's law provides for liability insurance coverage, background checks, educational or experience requirements equal to or greater than those contained in this part. The board through regulations shall establish registration and fee requirements for such reciprocity. The fees shall be equal to or no less than those fees paid by Tennessee alarm contractors.

(l) The board shall provide a procedure for the renewal of registrations issued under this part.

Credits

1991 Pub.Acts, c. 400, § 7; 1996 Pub.Acts, c. 848, §§ 6 to 8, 14, eff. May 3, 1996.

T. C. A. § 62-32-307, TN ST § 62-32-307

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T. C. A. § 62-32-308

§ 62-32-308. Members

Effective: March 22, 2016

[Currentness](#)

- (a)(1) Each member of the board shall be at least twenty-five (25) years of age and of good moral character.
- (2) Each member shall be of recognized standing in the alarm contracting business; provided, that this subdivision (a)(2) shall not apply to the member who is not engaged in the business of alarm contracting.
- (b) The terms of members shall be for five-year periods and shall be staggered so that the term of at least one (1) member shall expire each December 31.
- (c) In the event of death, resignation or failure of a member to serve the member's full term, the member's successor shall be appointed to serve the balance of the unexpired term. Each member shall hold over after the expiration of the member's term until the member's successor has been duly appointed and qualified. If vacancies occur on the board for any cause, the vacancies shall be filled by appointment of the governor within ninety (90) days.
- (d) No person shall be eligible for appointment on the board who is not a qualifying agent under this part; provided, that this subsection (d) shall not apply to the member who is not engaged in the business of alarm contracting. At least two (2) of the members of the board shall be qualifying agents employed by a certified contractor who has fewer than seven (7) employees.
- (e)(1) The governor may remove any member of the board for official misconduct, incompetency, willful neglect of duty, or demonstrated lack of good moral character by conduct that would disqualify an applicant from being registered under this part.
- (2)(A) Notwithstanding subdivision (e)(1), any member who misses more than fifty percent (50%) of the scheduled meetings in a calendar year shall be removed as a member of the board.
- (B) The chair of the board shall promptly notify, or cause to be notified, the appointing authority of any member who fails to satisfy the attendance requirement as prescribed in subdivision (e)(2)(A).

Credits

1991 Pub.Acts, c. 400, § 8; 1996 Pub.Acts, c. 848, § 5, eff. May 3, 1996; 2016 Pub.Acts, c. 614, § 3, eff. March 22, 2016.

T. C. A. § 62-32-308, TN ST § 62-32-308

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T. C. A. § 62-32-309

§ 62-32-309. Executive director

Effective: August 11, 2009

[Currentness](#)

The director of the division of regulatory boards in the department of commerce and insurance or the director's designee shall serve as executive director and shall provide all administrative functions for the board.

Credits

[1991 Pub.Acts, c. 400, § 9.](#)

T. C. A. § 62-32-309, TN ST § 62-32-309

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T. C. A. § 62-32-310

§ 62-32-310. Meetings; election of officers; quorum

Effective: August 11, 2009

[Currentness](#)

- (a) The board shall establish in its bylaws a regular meeting schedule for the purpose of transacting business.
- (b) At the first meeting of each calendar year, the board shall elect officers, including a chair, vice chair and secretary.
- (c) Special meetings of the board shall be held at times that the board may require. Special meetings shall be at the call of the chair or by a majority of the board members.
- (d) Three (3) members shall constitute a quorum for transaction of board business.
- (e) Due notice of each meeting and the time and place of the meeting shall be given each member in the manner that the bylaws may provide.
- (f) Board members shall serve without compensation but shall be entitled to reimbursement for travel expenses, to be paid in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

Credits

[1991 Pub.Acts, c. 400, § 10](#); [1993 Pub.Acts, c. 429, § 3, eff. May 20, 1993](#).

T. C. A. § 62-32-310, TN ST § 62-32-310

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T. C. A. § 62-32-311

§ 62-32-311. Applications; register; evidence

Effective: August 11, 2009

[Currentness](#)

(a) The board shall keep a register of all applications for certification, license or registration, showing on each the date of application, name, qualifications, place of business, place of residence and whether a license or registration was granted or refused.

(b) The books and register of the board shall be prima facie evidence of all matters recorded in the books and register.

Credits

[1991 Pub.Acts, c. 400, § 11.](#)

T. C. A. § 62-32-311, TN ST § 62-32-311

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T. C. A. § 62-32-312

§ 62-32-312. Alarm system contractors; officers and employees; registration; training

Effective: August 11, 2009

[Currentness](#)

(a) All alarm systems contractor employees with access to records, diagrams, plans or other sensitive information pertaining to monitored, installed or proposed alarm systems shall be registered with the board.

(b) In accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the board shall promulgate rules to establish an appropriate system of employee classifications and registration.

(c) An alarm systems contractor may not employ any employee required to be registered with the board unless the employee is properly registered with the board in compliance with subsection (d) and meets the training requirements of subsection (g).

(d) All alarm systems contractors, within thirty (30) working days of the beginning of employment of any employee, shall furnish the board with the following:

(1) A set or sets of classifiable fingerprints on standard FBI/TBI applicant cards;

(2) A recent color photograph or photographs of acceptable quality for identification; and

(3) Statements of any criminal records in each area where the employee has resided within the immediately preceding forty-eight (48) months.

(e) Upon receipt of an application, the board shall cause an FBI/TBI background investigation to be made, during which the applicant shall be required to show that the applicant meets all the following requirements and qualifications, prerequisite to registration or licensure:

(1) The applicant is at least eighteen (18) years of age;

(2) The applicant is of good moral character; and

(3) Registration of an employee shall be for two (2) years and shall be subject to renewal.

(f) Employee registration pursuant to this section shall be renewed every two (2) years.

(g) All alarm system contractor employees who sell, install or repair alarm systems, including closed circuit television systems, shall take and successfully complete the National Burglar and Fire Alarm Association Level 1 or equivalent training. The board may determine what constitutes equivalent training.

(1) New employees after January 1, 2005, must successfully complete such training within one (1) year of employment.

(2) Employees not in compliance with this subsection (g) shall not sell, install or repair alarm systems, including closed circuit television systems.

(h) All alarm system contractors shall provide proof of employee training upon request by the board.

(i) Any costs associated with the alarm system training required by this section shall be the responsibility of and paid by the alarm system contractor who employs the person being trained.

Credits

1991 Pub.Acts, c. 400, § 12; 1996 Pub.Acts, c. 848, §§ 9 to 12, 22, eff. May 3, 1996; 2004 Pub.Acts, c. 895, §§ 1, 2, eff. Jan. 1, 2005; 2008 Pub.Acts, c. 1038, §§ 6, 7, eff. May 28, 2008.

T. C. A. § 62-32-312, TN ST § 62-32-312

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T. C. A. § 62-32-313

§ 62-32-313. Qualifying agents; licenses; requirements; suspension, revocation or nonrenewal

Effective: April 12, 2013

[Currentness](#)

- (a) Anyone desiring to be licensed as a qualifying agent shall make written application to the board on forms prescribed by the board. The application shall be accompanied by an application fee as set by the board.
- (b) An applicant shall meet all of the requirements for a registered employee as indicated in [§ 62-32-312\(e\)](#). Application shall be accompanied by the documents required for employee registration as detailed in [§ 62-32-312\(d\)](#).
- (c) An applicant for qualifying agent shall meet the following combination of experience and educational requirements:
- (1) The applicant must hold a four-year baccalaureate degree in electrical engineering, industrial technology, computer engineering, or industrial engineering from an accredited university or college acceptable to the board with at least two (2) years actual experience in the alarm industry;
 - (2) The applicant must hold an associates degree in engineering technology from an accredited two-year technical college acceptable to the board with at least four (4) years actual experience in the alarm industry; or
 - (3) The applicant must hold current certification by a national training program approved by the board in the field of work to be installed, serviced or monitored and have at least five (5) years of working experience in the alarm industry covering the actual installation of alarms.
- (d) If the application is satisfactory to the board, the qualifying agent shall be entitled to an examination to determine the agent's qualifications. This examination may be written or oral, or both. The board shall be entitled to charge each applicant an examination fee as set by the board for each written or oral examination, or both.
- (e) If the results of the examination of any applicant are satisfactory to the board, then it shall issue to the applicant a license as a qualified agent in this state. The board shall state the classifications in which the applicant is qualified to engage.
- (f) Licenses as a qualifying agent shall expire on the last day of the twenty-fourth month following its issuance or renewal and shall become invalid on that date unless renewed.

(g) Renewal notices shall be mailed to the last known address of the qualified agent ninety (90) days prior to the expiration date of the license. The renewal must be received in the office of the board prior to the expiration of the license.

(h) It is the duty of the board to notify every person registered under this part by mail to the last known address of the date of expiration of the person's certificate of license and the amount of fee required for its renewal for two (2) years. The notice shall be mailed in accordance with this section.

(i) The fee to be paid for the renewal of a certificate of license after the expiration date shall be increased ten percent (10%) for each month or fraction of a month that payment for renewal is delayed; provided, that the maximum fee for a delayed renewal shall not exceed twice the normal fee.

(j) No qualifying agent shall be qualified to receive a renewal license when the agent has been in default in complying with this part for a period of three (3) months, and, in that event, the qualifying agent, in order to qualify under the law, shall make a new application as in the case of the issuance of the original license.

(k) The board shall not grant renewal of a qualifying agent license until it has received satisfactory evidence of continuing education during the previous two (2) years. The board shall promulgate rules to establish minimum satisfactory standards of continuing education.

(l) The board may, after notice and an opportunity for hearing, suspend, revoke or deny renewal of a license to a qualifying agent who is a qualifying agent for a person, firm, association or corporation that has had its certification suspended or revoked under § 62-32-319. The board shall in all cases before hearing any charges against any registrant furnish a written copy of the charges against the accused, including notice of the time and place where the charges will be heard, and give reasonable opportunity for the accused to be present and offer any evidence the accused may wish. The accused shall have the right to an attorney if the accused so desires. The revocation or suspension of license shall be in writing, stating the grounds upon which the board decision is based. The aggrieved person shall have the right to appeal from the decision.

(m) No qualifying agent may be the qualifying agent for more than one (1) business location.

Credits

1991 Pub.Acts, c. 400, § 13; 1996 Pub.Acts, c. 848, §§ 15, 16, eff. May 3, 1996; 2008 Pub.Acts, c. 1038, §§ 8 to 10, 15, eff. May 28, 2008; 2013 Pub.Acts, c. 142, § 1, eff. April 12, 2013.

T. C. A. § 62-32-313, TN ST § 62-32-313

Current with laws from the 2017 First Reg. Sess. of the 110th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

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Chapter 32. Fire Protection and Alarm Systems (Refs & Annos)
Part 3. Alarm Contractors Licensing Act of 1991

T. C. A. § 62-32-314

§ 62-32-314. Certificates and certification; requirements

Effective: August 11, 2009

[Currentness](#)

(a) Anyone desiring to be certified as an alarm systems contractor shall make written application to the board on forms prescribed by the board. The application shall be accompanied by an application fee as set by the board. The alarm systems contractor shall:

- (1) Have a regular place of business at a permanent fixed location;
- (2) Have a business license or licenses for the city and county in which the business is located;
- (3) Provide proof of insurance as required by [§ 62-32-315\(a\)](#);
- (4) Submit an application for certification with the notarized signature of a qualified agent licensed by the board for the classifications of alarm systems being applied for; and
- (5) Submit applications for registration of all employees on forms provided by the board as required by [§ 62-32-312\(d\)](#) and accompanied by registration fees as required by [§ 62-32-318\(a\)\(5\)](#).

(b) Applications for certification shall be on forms prescribed by the board. The application shall disclose any and all persons, firms, associations, corporations or other entities that own or control a ten percent (10%) or greater interest in the applicant. The board may require FBI/TBI background checks and other information deemed necessary by the board from any individual, firm or business owning or controlling ten percent (10%) or greater interest in the applicant and may at the board's discretion withhold certification until the information is satisfactorily produced and verified.

(c) In accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the board shall promulgate rules that establish uniform criteria to govern issuance by the board of the classifications required by [§§ 62-32-313\(e\)](#) and [62-32-316\(b\)](#).

(d) An alarm systems contractor may bid on a contract requiring work in some classification or classifications other than the one or ones in which the alarm systems contractor is licensed, if and only if the work is incidental or supplemental to the performance of work in which the alarm systems contractor is licensed to engage.

Credits

1991 Pub.Acts, c. 400, § 16; 1993 Pub.Acts, c. 429, § 5, eff. May 20, 1993; 1996 Pub.Acts, c. 848, § 17, eff. May 3, 1996.

T. C. A. § 62-32-314, TN ST § 62-32-314

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T. C. A. § 62-32-315

§ 62-32-315. Certification; evidence of insurance; certificates of insurance and surety bond

Effective: August 11, 2009

[Currentness](#)

(a) No certification shall be issued under this part unless the applicant files with the board as evidence of insurance a policy of liability insurance providing for the following minimum coverage:

(1) One hundred thousand dollars (\$100,000) because of bodily injury or death of one (1) person as a result of the negligent act or acts of the principal insured or the principal insured's agents, operating in the course and scope of the agents' employment;

(2) Subject to the limit for one (1) person, three hundred thousand dollars (\$300,000) because of bodily injury or death of two (2) or more persons as the result of the negligent act or acts of the principal insured or the principal insured's agent operating in the course and scope of the agent's agency; and

(3) One hundred thousand dollars (\$100,000) because of injury to or destruction of property in the course and scope of the agent's agency.

(b) Every certified company shall provide proof of insurance to the board upon request from the board. Failure to provide proof of insurance shall be grounds for suspension or revocation of a certified company's certification.

Credits

[1991 Pub.Acts, c. 400, § 15](#); [1996 Pub.Acts, c. 848, § 18, eff. May 3, 1996](#); [2000 Pub.Acts, c. 641, § 2, eff. April 10, 2000](#).

T. C. A. § 62-32-315, TN ST § 62-32-315

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T. C. A. § 62-32-316

§ 62-32-316. Certificates and certification; classifications; display; branch offices

Effective: August 11, 2009

[Currentness](#)

(a) The certification, when issued, shall be in the form that may be determined by the board and shall state:

(1) The name of the certified company;

(2) The name under which the certified company is to operate;

(3) The qualifying agent; and

(4) The number and expiration date of the certification.

(b) There shall be four (4) classifications of alarm systems contractor: “burglar alarm systems,” “fire alarm systems,” “monitoring,” and “closed circuit television.” Alarm systems contractors may be certified in one (1) or more classifications.

(c) Following issuance, the certification shall at all times be posted in a conspicuous place in the place of business of the certified company. A certification issued under this part is not assignable.

(d) All alarm systems contractors shall permanently display their certification number on all advertising, service vehicles, correspondence, business cards, letterheads and the like.

(e) No certified company shall engage in any business regulated by this part under a name other than the certification name or names that appear on the certificate issued by the board.

(f) Any branch office of an alarm systems contractor shall be properly certified. A separate certification, stating the location and qualifying agent, shall be posted at all times in a conspicuous place in each branch office. Every business covered under this part shall file in writing with the board the address of each of its branch offices. All certified branch offices shall notify the board in writing, within thirty (30) working days after the establishment, closing or changing of the location of any branch office. A qualifying agent may not be responsible for more than one (1) branch office of an alarm system contracting business. Each business location must be certified.

Credits

1991 Pub.Acts, c. 400, § 14; 1992 Pub.Acts, c. 977, § 2; 1993 Pub.Acts, c. 429, § 4, eff. July 1, 1993; 1996 Pub.Acts, c. 848, § 19, eff. May 3, 1996.

T. C. A. § 62-32-316, TN ST § 62-32-316

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T. C. A. § 62-32-317

§ 62-32-317. Certification, license, registration; expiration and renewal

Effective: August 11, 2009

[Currentness](#)

(a) Each certification, license or registration granted by the board shall expire on the last day of the twenty-fourth month following its issuance or renewal and shall become invalid on that date unless renewed.

(b) Renewal notices shall be mailed ninety (90) days prior to the expiration date of the certification. The renewal must be received in the office of the board prior to the expiration of the certification.

(c) It is the duty of the board to notify by mail every person certified under this part of the date of expiration of the person's certificate of certification and the amount of fee required for its renewal. The notice shall be mailed in accordance with this section.

(d) Applications for certification and renewal of certification shall list all persons required to be licensed in accordance with [§ 62-32-312\(a\)](#).

(e) The fee to be paid for the renewal of a certification after the expiration date shall be increased ten percent (10%) for each month or fraction of a month that payment for renewal is delayed; provided, that the maximum fee for a delayed renewal shall not exceed twice the normal fee.

(f) No alarm systems contractor shall be qualified to receive a renewal certification when the alarm systems contractor has been in default in complying with this part for a period of three (3) months, and, in such event, the alarm systems contractor, in order to qualify under the law, shall make a new application as in the case of the issuance of the original license.

Credits

[1991 Pub.Acts, c. 400, § 17](#); [1996 Pub.Acts, c. 848, §§ 20, 21, eff. May 3, 1996](#); [2004 Pub.Acts, c. 509, § 1](#); [2008 Pub.Acts, c. 1038, §§ 11, 16, eff. May 28, 2008](#).

T. C. A. § 62-32-317, TN ST § 62-32-317

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T. C. A. § 62-32-318

§ 62-32-318. Fees

Effective: August 11, 2009

[Currentness](#)

(a) The board is authorized to establish and charge reasonable application, certification, registration and license fees as follows:

- (1) A nonrefundable application fee for a certification as alarm systems contractor;
 - (2) Upon approval of application, a certification fee;
 - (3) A renewal certification fee;
 - (4) A nonrefundable application fee to include the cost of an FBI/TBI background check for a qualifying agent's license;
 - (5) Upon approval of the board of a qualifying agent's license, a license fee;
 - (6) A nonrefundable application fee to include the cost of an FBI/TBI background check for an employee registration; and
 - (7) A nonrefundable registration fee set by the board.
- (b) The total amount of fees annually established by the board shall equal the direct and indirect anticipated expenses of the board for the year.

Credits

[1991 Pub.Acts, c. 400, § 18; 1996 Pub.Acts, c. 848, § 23, eff. May 3, 1996; 2008 Pub.Acts, c. 1038, §§ 12 to 14, eff. May 28, 2008.](#)

T. C. A. § 62-32-318, TN ST § 62-32-318

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T. C. A. § 62-32-319

§ 62-32-319. Certificates or licenses; suspension revocation or nonrenewal

Effective: August 11, 2009

[Currentness](#)

- (a) Any person may prefer charges in writing to the board against any certificate holder, licensee, registrant or other person, firm or business offering alarm systems or services in violation of this part.
- (b) The board may, after notice and an opportunity for hearing, suspend or revoke a certification or license issued under this part if it is determined that the licensee or certified person has:
- (1) Made any false statement or given any false information in connection with any application for a license or for the renewal or reinstatement of a license;
 - (2) Violated any provision of this part;
 - (3) Violated any rule promulgated by the board pursuant to the authority contained in this part;
 - (4) Been convicted of any crime indicating lack of good moral character;
 - (5) Failed to correct business practices or procedures that have resulted in a prior reprimand by the board;
 - (6) Impersonated or permitted or aided and abetted any other person to impersonate a law enforcement officer of the United States, this state or any of its political subdivisions;
 - (7) Engaged in or permitted any employee to engage in any alarm contracting business when not lawfully in possession of a valid certification or license issued under this part;
 - (8) Been convicted on an unlawful breaking or entering, assault, battery or kidnapping;
 - (9) Been found guilty by the board of misconduct, gross negligence or incompetence or committed any other act that is a ground for the denial of an application for a certification or a license under this part; or

(10) Failed to maintain insurance and bond as required by this part.

(c) The board has the power to revoke or suspend any certification or license or renewal granted by it for any of the reasons stated in this section or for a failure to observe the terms and conditions of any certification, license or renewal.

(d) The board may refuse to issue or renew a certification or license to any person, firm or corporation for lack of financial stability, misconduct, gross negligence, lack of expertise, submission of false evidence with regard to application of license or renewal, conviction of a felony and any other conduct that constitutes improper, fraudulent or dishonest dealing or violation of this part.

(e) The Uniform Administrative Procedures Act, compiled in title 4, chapter 5, governs all matters and procedures regarding the hearing and judicial review of any contested case arising under this part.

Credits

[1991 Pub.Acts, c. 400, § 19.](#)

T. C. A. § 62-32-319, TN ST § 62-32-319

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T. C. A. § 62-32-320

§ 62-32-320. Prohibited practices; injunctions; fines and penalties

Effective: August 11, 2009

[Currentness](#)

(a) The board may, when it deems appropriate, seek civil remedies at law or equity to restrain or enjoin any unauthorized practice or other violation of this part.

(b) Any person, firm or corporation that engages or offers to engage in contracting without a certification as required by [§ 62-32-304](#) or who violates the terms and conditions of any certification, license or renewal of a certification or license granted by the board pursuant to this part shall be subject to a civil penalty of no less than one thousand dollars (\$1,000) and no more than five thousand dollars (\$5,000) per occurrence. Any person, firm or corporation that engages or offers to engage in contracting without a certification as required by [§ 62-32-304](#) shall be ineligible to apply for the certification until six (6) months after the violation has occurred.

(c) In addition to revocation or suspension of a certification or license under [§ 62-32-319](#), a civil penalty of no more than five thousand dollars (\$5,000) may be assessed by the board against any person who violates any provision of this part or any rule of the board adopted pursuant to this part. In determining the amount of any penalty, the board shall consider the degree and extent of harm caused by the violation.

(d) A violation of this part or any rule lawfully promulgated under this part is a Class B misdemeanor subject to fine only.

Credits

[1991 Pub.Acts, c. 400, § 20](#); [2000 Pub.Acts, c. 641, § 1](#), eff. April 10, 2000.

T. C. A. § 62-32-320, TN ST § 62-32-320

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T. C. A. § 62-32-321

§ 62-32-321. Political subdivisions; construction of law; intent

Effective: April 23, 2013

[Currentness](#)

(a) Counties and municipalities are prohibited from offering services as alarm systems contractors to the general public except as follows:

(1) Counties and municipalities may provide those services that would normally be provided by an alarm systems contractor for facilities that are wholly owned and occupied by that county or municipality; and

(2)(A) Counties and municipalities may provide monitoring or response services, or both, to alarm systems when deemed in the best public interest; provided, that:

(i) No charge is made by the county or municipality for the service unless the county or municipality was charging for the service on or before July 1, 1991;

(ii) Use of local governmental services shall not be mandatory; and

(iii) Response by local law enforcement, firefighters or other emergency personnel may not be conditional upon use of the services.

(B) Notwithstanding any language of subdivision (a)(2)(A)(i) to the contrary, no county or municipality shall impose or collect any charge for responding to a false alarm occasioned exclusively by a violent act of nature.

(b) No county or municipality shall enact any legislation or promulgate any rules or regulations relating to the licensing of alarm businesses or alarm systems contractors required to be licensed under this part.

(c) On July 1, 1993, any provision of any legislation or rules or regulations of any county or municipality requiring the certifying or licensing of an alarm business or its employees shall be superseded by this part and no longer be effective.

(d) This part is not, however, intended to and does not prevent the legally constituted authority of any county or municipality by legislation, rules or regulations, and within the police power of the county or municipality, from requiring alarm businesses or alarm agents to register their names, addresses and license certificate numbers with the county

or municipality within which they operate. The county or municipality may also require that alarm businesses give reasonable notice of termination of licenses or agents. No fee may be charged nor may any application be required by any county or municipality for the registration.

(e) Nothing in this part shall be construed to prohibit counties or municipalities from enacting and imposing penalties for false alarms; provided, that the penalties shall not exceed fifty dollars (\$50.00) for each false alarm.

Credits

1991 Pub.Acts, c. 400, § 21; 1992 Pub.Acts, c. 977, § 3; 1992 Pub.Acts, c. 993, §§ 1 to 3; 2013 Pub.Acts, c. 191, § 1, eff. April 23, 2013.

T. C. A. § 62-32-321, TN ST § 62-32-321

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment§62-32-322. Obsolete

[West's Tennessee Code Annotated](#)

[Title 62. Professions, Businesses and Trades](#)

[Chapter 32. Fire Protection and Alarm Systems \(Refs & Annos\)](#)

[Part 3. Alarm Contractors Licensing Act of 1991](#)

T. C. A. § 62-32-322

§ 62-32-322. Obsolete

Effective: August 11, 2009

[Currentness](#)

T. C. A. § 62-32-322, TN ST § 62-32-322

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T. C. A. § 62-32-323

§ 62-32-323. Fund; disposition

Effective: August 11, 2009

[Currentness](#)

(a) Notwithstanding any other law to the contrary, all moneys collected pursuant to this part shall be deposited in the state treasury in a separate fund to be known as the fund of the state board of alarm contractors.

(b) Disbursements from the fund shall be made solely for the purpose of defraying expenses incurred in the implementation and enforcement of this part.

(c) Any part of the fund of the state board of alarm contractors remaining at the end of a fiscal year shall not revert to the general fund, but shall be carried forward until expended in accordance with this part.

Credits

[1991 Pub.Acts, c. 400, § 23.](#)

T. C. A. § 62-32-323, TN ST § 62-32-323

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T. C. A. § 62-32-324

§ 62-32-324. Verification of burglar alarm signals

Effective: July 1, 2011

[Currentness](#)

(a) All persons licensed to monitor alarms in this state shall employ alarm verification for all burglar alarm signals except for hold-up alarms.

(b) Notwithstanding [§ 62-32-303](#) or any other law to the contrary, no monitoring company or its representative shall be required to perform an alarm verification prior to requesting law enforcement to be dispatched to a pharmacy.

Credits

2007 Pub.Acts, c. 160, § 2, eff. May 15, 2007; 2011 Pub.Acts, c. 52, § 1, eff. July 1, 2011.

T. C. A. § 62-32-324, TN ST § 62-32-324

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T. C. A. § 62-32-325

§ 62-32-325. Automatic renewal clause; cancellation notice

Effective: January 1, 2010

[Currentness](#)

(a) A contract having an automatic renewal clause between an alarm systems contractor and any homeowner or renter for the provision of alarm services may automatically be renewed for a period not to exceed one (1) year at a time. Any waiver of the renewal limitation period included in the contract shall be void as contrary to public policy.

(b) At any time during an automatic renewal period provided by contract in accordance with subsection (a), a party to the contract who is being relocated to a hospital, nursing home or assisted living facility may cancel the contract by giving thirty (30) days' written notice to the alarms system contractor.

Credits

[2009 Pub.Acts, c. 565, § 1, eff. Jan. 1, 2010.](#)

T. C. A. § 62-32-325, TN ST § 62-32-325

Current with laws from the 2017 First Reg. Sess. of the 110th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

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